

HOUSE BILL 978

F5, L2

0lr1894
CF 0lr1792

By: **Harford County Delegation**

Introduced and read first time: February 12, 2010

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 22, 2010

CHAPTER _____

1 AN ACT concerning

2 **Harford County Board of Education – Student Member – Voting Rights**

3 FOR the purpose of providing that the student member of the Harford County Board
4 of Education has certain voting rights; prohibiting the student member from
5 voting on certain matters; altering certain procedures for the election of the
6 student member; requiring the Harford County Regional Association of Student
7 Councils to conduct a certain nominating convention; altering the qualifications
8 of the student member; providing for the reimbursement of certain expenses of
9 the student member under certain circumstances; and generally relating to the
10 voting rights of the student member of the Harford County Board of Education.

11 BY repealing and reenacting, with amendments,
12 Article – Education
13 Section 3–6A–01 and 3–6A–04
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2009 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Education**

19 3–6A–01.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) (1) In this subtitle, "elected member" means a voting member elected
2 under subsection (d) or (e) of this section or a member appointed to an elected position
3 on the Harford County Board of Education under subsection (e)(2) of this section.

4 (2) "Elected member" does not include a:

5 (i) County superintendent of schools serving as an ex officio
6 member of the county board; or

7 (ii) [Nonvoting student] **STUDENT** member selected under
8 subsection [(f)] **(G)** of this section.

9 (b) The county board consists of:

10 (1) Six elected members;

11 (2) Three appointed members;

12 (3) The county superintendent of schools, who is an ex officio
13 nonvoting member; and

14 (4) One [nonvoting] student member.

15 (c) (1) (i) A member from a councilmanic district shall be a resident of
16 that district.

17 (ii) A member from a councilmanic district who no longer
18 resides in that district may not continue as a member of the county board.

19 (2) A member of the county board shall be a registered voter of the
20 county for at least 3 years prior to the date of the beginning of the term of office of the
21 member.

22 (d) (1) Of the [nine] **10** voting members of the county board:

23 (i) One member shall be elected from each of the six
24 councilmanic districts only by the voters of that councilmanic district; [and]

25 (ii) Three members shall be appointed by the Governor; **AND**

26 **(III) THE STUDENT MEMBER SHALL BE SELECTED IN**
27 **ACCORDANCE WITH SUBSECTION (G) OF THIS SECTION.**

28 (2) The elected members shall be elected at a general election as
29 required by subsection (e) of this section.

1 (3) The appointed members shall be appointed, when appropriate,
2 within 90 days of the general election.

3 (e) (1) Except for the nonvoting [members] **MEMBER AND THE STUDENT**
4 **MEMBER**, a member serves for a term of 4 years beginning July 1 after the election or
5 appointment of the member and until a successor is elected or appointed and qualifies.

6 (2) (i) Unless otherwise disqualified under this section, a member
7 of the county board is eligible for reelection or reappointment.

8 (ii) A voting member may not serve for more than two
9 consecutive terms as a voting member.

10 (3) The Harford County Board of Elections may adopt regulations to
11 implement this subsection.

12 (f) (1) The Harford County Council shall appoint a qualified individual to
13 fill any vacancy of an elected member on the county board for the remainder of the
14 term and until a successor is elected and qualifies.

15 (2) The Governor shall appoint a qualified individual to fill any
16 vacancy of an appointed member of the county board for the remainder of the term and
17 until a successor is appointed and qualifies.

18 (g) (1) **(I) THE HARFORD COUNTY REGIONAL ASSOCIATION OF**
19 **STUDENT COUNCILS SHALL CONDUCT A NOMINATING CONVENTION TO SELECT**
20 **THREE CANDIDATES FOR ELECTION.**

21 **(II)** The [nonvoting] student member of the county board shall
22 be elected by the **MIDDLE SCHOOL AND** high school students of the county in
23 accordance with procedures established by the Harford County public school system.

24 (2) The student member shall:

25 (i) Be [an eleventh or] **A RISING** twelfth grade student, in good
26 standing, and regularly enrolled in the Harford County public school system;

27 (ii) Be a student government association representative at the
28 student's high school;

29 (iii) Serve for 1 year beginning on July 1 after the election of the
30 member;

31 (iv) Be a [nonvoting] **VOTING** member **AS PROVIDED IN**
32 **PARAGRAPH (4) OF THIS SUBSECTION; [and]**

1 (v) Advise the county board on the thoughts and feelings of
2 students in the Harford County public schools;

3 (VI) BE A LEGAL RESIDENT; AND

4 (VII) MAINTAIN COMPLIANCE WITH ACADEMIC ELIGIBILITY
5 REQUIREMENTS FOR PARTICIPATION IN EXTRACURRICULAR ACTIVITY
6 STANDARDS.

7 (3) Unless invited to attend by an affirmative vote of a majority of the
8 county board, the student member may not attend an executive session, ANY OTHER
9 CLOSED SESSION, OR AN ADMINISTRATIVE SESSION of the county board.

10 (4) THE STUDENT MEMBER SHALL VOTE ON ALL MATTERS
11 EXCEPT THOSE RELATING TO:

12 (I) BUDGETARY MATTERS UNDER TITLE 5 OF THIS
13 ARTICLE;

14 (II) ACQUISITION OF REAL PROPERTY UNDER § 4-115 OF
15 THIS ARTICLE AND CONDEMNATION OF REAL PROPERTY UNDER § 4-119 OF THIS
16 ARTICLE;

17 (III) GEOGRAPHICAL ATTENDANCE AREAS UNDER § 4-109
18 OF THIS ARTICLE;

19 (IV) SCHOOL CLOSINGS AND REOPENINGS;

20 (V) APPOINTMENT AND PROMOTION OF STAFF UNDER §
21 6-202 OF THIS ARTICLE;

22 (VI) APPOINTMENT AND SALARY OF THE COUNTY
23 SUPERINTENDENT UNDER §§ 4-201 AND 4-202 OF THIS ARTICLE;

24 (VII) DISCIPLINE OF ~~CERTIFICATED STAFF UNDER § 6-202~~
25 ~~OF THIS ARTICLE~~ STAFF;

26 (VIII) COLLECTIVE BARGAINING FOR CERTIFICATED
27 EMPLOYEES UNDER TITLE 6, SUBTITLE 4 OF THIS ARTICLE;

28 (IX) COLLECTIVE BARGAINING FOR NONCERTIFICATED
29 EMPLOYEES UNDER TITLE 6, SUBTITLE 5 OF THIS ARTICLE; AND

30 (X) APPEALS UNDER § 4-205(C) OF THIS ARTICLE.

1 **(5) THE STUDENT MEMBER MAY NOT PARTICIPATE IN ANY**
2 **PROCEEDING OF THE COUNTY BOARD THAT IS QUASI-ADJUDICATORY OR ANY**
3 **ACTION OF THE COUNTY BOARD WHEN IT IS FUNCTIONING AS AN APPEAL BODY,**
4 **INCLUDING AN APPEAL UNDER §§ 4-205(C), 6-202, AND 7-305 OF THIS**
5 **ARTICLE.**

6 3-6A-04.

7 (a) **[Each] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,**
8 **EACH** member of the Harford County Board is entitled to receive \$3,600 annually for
9 travel and other expenses related to the performance of duties as a member of the
10 board.

11 (b) Payments to a member for the expenses described in subsection (a) of this
12 section shall be paid in 12 equal monthly installments.

13 (c) Subject to the approval of the board, a member may be reimbursed for
14 additional travel and other expenses.

15 **(D) SUBJECT TO THE APPROVAL OF THE SUPERINTENDENT, THE**
16 **STUDENT MEMBER OF THE BOARD MAY BE REIMBURSED FOR REASONABLE**
17 **TRAVEL AND OTHER EXPENSES RELATED TO THE PERFORMANCE OF DUTIES AS**
18 **A STUDENT MEMBER OF THE BOARD.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.